

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AKAL BROADCASTING CORP, et al.

Plaintiffs,

v.

SUKHDEV SINGH DHILLON, et al.,

Defendants.

Case No. 1:24-cv-00029-JLT-SAB

ORDER REQUIRING PLAINTIFFS TO PAY
SANCTIONS OF \$50 PER DAY

(ECF No. 13)

Plaintiffs initiated this action on January 5, 2024 against Defendants Sukhdev Singh Dhillon, Mohan S. Cheema, Tarnvir S. Bisla, Jagdeep S. Dhaliwal, Baaz Broadcasting Corp., Radio Punjab, Inc., Amar Broadcasting Inc., TEG Broadcasting Inc., and Radio Spice USA Inc. (ECF No. 1.) Plaintiffs failed to file proof of service on any Defendants. The mandatory scheduling conference was initially set for April 23, 2024, and a joint scheduling report was due on April 16, 2024. (ECF No. 4.) No joint scheduling report was filed by April 16, 2024.

Without a joint scheduling report, the Court issued an order on April 18, 2024 continuing the scheduling conference to May 21, 2024 and requiring that Plaintiffs file a status report no later than April 23, 2024 addressing the status of this action. (ECF No. 12.) Plaintiffs failed to file the status report by April 23, 2024.

On April 24, 2024, the Court ordered Plaintiffs to show cause in writing why sanctions should not be imposed for failure to file a status report as required by the Court's April 18, 2024

order. (ECF No. 13.) The Court detailed that it was unaware if the action is proceeding against Defendants Mohan S. Cheema, Tarnvir S. Bisla, and Jagdeep S. Dhaliwal and, if so, whether they have been served or shall be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (*Id.* at 2.) The Court also stated it was unaware if Plaintiffs will continue pursuing any causes of action or requested relief against any or all of the stipulating Defendants and, if so, whether those Defendants have been served.¹ (*Id.*) The Court required Plaintiffs to show cause in writing why sanctions should not be imposed for failure to file a status report no later than April 30, 2024. Plaintiffs failed to file a response to the order to show cause by April 30, 2024.

The Court notes that *after* issuing its order to show cause on April 24, 2024, but *before* the deadline to respond on April 30, 2024, counsel for Plaintiffs filed a notice of unavailability of counsel for a period of time that does not commence until May 17, 2024. (ECF No. 14.) The notice failed to address the pending order to show cause.

As stated in its order requiring that Plaintiffs show cause, Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

Plaintiffs did not file a response to the Court’s April 24, 2024 order to show cause on or before April 30, 2024. Given Plaintiffs did not comply with the Court’s order, the Court shall impose monetary sanctions in the amount of \$50.00 per day, beginning on May 3, 2024.

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¹ The Court notes Sukhdev Singh Dhillon, Baaz Broadcasting Corp., Radio Punjab, Inc., Amar Broadcasting Inc., TEG Broadcasting Inc., and Radio Spice USA Inc. filed an answer and joint counterclaims on April 29, 2024. (ECF No. 15.) The answer and counterclaims do not address the three independently named Defendants.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiffs and Plaintiffs' counsel shall
2 jointly and severally be obligated to pay the Clerk of the Court \$50.00 per day, beginning on
3 May 3, 2024, until Plaintiffs file a compliant response to the Court's April 24, 2024 order to
4 show cause (ECF No. 13).

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6 IT IS SO ORDERED.

7 Dated: May 2, 2024


UNITED STATES MAGISTRATE JUDGE